



February 6, 2004

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VIA EXPRESS MAIL NO. EV302016182 US

Commissioner for Patents
Mail Stop – Patent Application
P.O. Box 1450
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Re: Information Disclosure Statement for Group B Streptococcal Phage Lysin

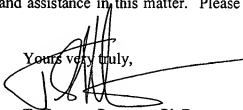
Applicants: Pritchard, et al.
Application No.: 10/650,559
Filed: August 28, 2003
Art Unit: 1632

Dear Sir:

Enclosed please find an Information Disclosure Statement for the above referenced application. No fee or showing is necessary for the Statement as this filing is made before mailing date of first office action on the merits. We request that the enclosed information be processed, though its submission is not an admission that any reference acts as prior art or that conclusions of any search reports are correct.

Thank you for your cooperation and assistance in this matter. Please do not hesitate to call if you have any questions.

Yours very truly,



T. Gregory Peterson, Ph.D.
Registration No. 45,587

TGP/tgp
Enclosures



- 2 -

CERTIFICATE OF EXPRESS MAILING

I hereby certify that the following item is enclosed:

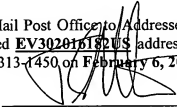
Cover letter w/ Certificate of Express Mailing
Information Disclosure Statement

2 Pages
242 Pages

TOTAL 244 Pages

and is being deposited with the "Express Mail Post Office to Addressee" service of the United States Postal Service in an envelope marked **EV302816182US** addressed to Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on February 6, 2004.

Date: February 6, 2004



T. Gregory Peterson
Registration No. 45,587

AUTHORIZATION TO CHARGE
DEPOSIT ACCOUNT

The Commissioner is authorized to pay any charges, fees, or sums due in connection with this correspondence, I hereby authorize the Commissioner of Patents and Trademarks to charge all such remaining fees, charges, and other sums due to Deposit Account Number 50-0954.


T. Gregory Peterson
Authorized User of Deposit Account 50-0954



02-09-04

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Pritchard et al

Serial No.: 10/650,559

Filed: 8-28-2003

Title: Group B Streptococcal Phage Lysin

Attorney Docket No.: P66186US01GP

Group Art Unit: 1632

Examiner: Not yet assigned

Assistant Commissioner for Patents
Washington, D.C. 20231**INFORMATION DISCLOSURE STATEMENT**

Dear Sir:

This Information Disclosure Statement is submitted:

- ☒ under 37 CFR 1.97(b), or
(Within three months of filing national application; or date of entry of international application; or before mailing date of first office action on the merits; whichever occurs last)
- ☐ under 37 CFR 1.97(c) together with either a:
- ☐ Certification under 37 CFR 1.97(e), or
 - ☐ a \$240.00 fee under 37 CFR 1.17(p), or
 - (After the CFR 1.97(b) time period, but before final action or notice of allowance, whichever occurs first)
- ☐ under 37 CFR 1.97(d) together with a:
- ☐ Certification under 37 CFR 1.97(e), and
 - ☐ a petition under 37 CFR 1.97(d)(2)(ii), and
 - ☐ a \$130.00 petition fee set forth in 37 CFR 1.17(i)(1).
 - (Filed after final action or notice of allowance, whichever occurs first, but before payment of the issue fee)

☒ Applicant(s) submit herewith Form PTO 1449-Information Disclosure Citation together with copies, of patents, publications or other information of which applicant(s) are aware, which applicant(s) believe(s) may be material to the examination of this application and for which there

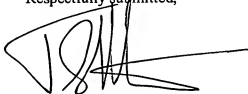
may be a duty to disclose in accordance with 37 CFR 1.56.

The relevance of the attached references is that this is the closest art of which Applicant is aware.

Applicant submits that the above references taken alone or in combination neither anticipate nor render obvious the present invention. Consideration of the foregoing in relation to this application is respectfully requested.

It is requested that the information disclosed herein be made of record in this application.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'TGP', with a long horizontal line extending to the right.

T. Gregory Peterson
Attorney for Applicant
Reg. No. 45,587

Telephone No.: 205-521-8084



PTO/SB/08B (08-03)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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Substitute form 1449/PTO

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Complete if Known

Application Number	10/650,559		
Filing Date	August 28, 2003		
First Named Inventor	David G. Pritchard		
Art Unit	1632		
Examiner Name	unknown		
Attorney Docket Number	P66186US01GP		
Sheet	2	of	2

NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
		FERRETTI, J.J. ET AL. Complete genome sequence of an M1 strain of Streptococcus pyogenes. PNAS. April 10, 2001, Vol. 98, No. 8 pages 4658-4663, entire document.	
		GARCIA, E. ET AL. Molecular evolution of lytic enzymes of Streptococcus pneumoniae and its bacteriophages. Proc. Natl. Acad. Sci., USA, February 1988, Vol. 85, pages 914-918.	

Examiner Signature	/Brian Gangle/	Date Considered	01/28/2009
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Applicant's unique citation designation number (optional). ² Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /BG/